

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

FILED
IN CLERKS OFFICE
UNITED STATES DISTRICT COURT
2019 MAY 10 PM 12:19
for the
U.S. DISTRICT COURT District of
DISTRICT OF MASS.
Division

Jerome Almonor

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Sprint Headquarters

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ No**COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Jerome Almonor26 Long Pond RoadPlymouthMA, 02360**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

RECEIVED

19 MAY 10 10 10 AM

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

IN RE: [illegible]

Case No. [illegible]

[illegible]

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Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Sprint Headquarters

Sprint Legal Compliance Department

6200 Sprint Parkway

Overland Park

KS, 66251

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

* Article 14. of the Declaration of Rights.
 * Fourteenth Amendment to the United States Constitution.
 * Fourth Amendment to the United States Constitution.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Jerome Almonor, is a citizen of the
 State of (name) Massachusetts.

b. If the plaintiff is a corporation

The plaintiff, (name) Sprint Headquarter, is incorporated
 under the laws of the State of (name) Massachusetts,
 and has its principal place of business in the State of (name)
Kansas.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
 the State of (name) _____. Or is a citizen of
 (foreign nation) _____.

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

\$65 million dollars for the violation of my privacy.

write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

• August 10, 2012, Shortly after 11:00pm first request to Sprint By State Police Trooper Kalil where no answer from Sprint, Then After midnight Aug 11, 2012 officer Kalil telephone sprint with the request to the Sprint Legal Compliance Department (Sprint Headquarters) for "(1) Subscriber information, (2) call detail records with cell site information (within the past week), (3) Historical Location Information PCMD (within the past fourteen day); [REDACTED] Relief [REDACTED] ((See Attach Additional page)... Page #1))

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I, Mr. Almorar asks the courts to order Sprint Headquarters to pay \$65 million for their breach of privacy. Their actions have and continue to have real world consequences bringings to the lives of me and my family irreparable damage. Damage in the form of: financial ruin; emotional stress; mental, dental and medical degradation; defamation of character; and stupendous amounts of pain and suffering. ((See Attach Additional page...Page # 2)).

Page 4 of 5

III. Statement of Claim (page #1).

Also (4) Precision Location of mobile device (GPS Location)" associated with Mr. Almonor number. Sprint Did not respond. Trooper Kalil Telephoned Sprint again "with A request for the precise Location of the mobile device utilizing Global Positioning System (GPS). This time without A warrant that was not presented to Sprint or without any permission By the phone owner Mr. Almonor, Sprint willingly on their own pinged the number and provided Law enforcement with the "Real-time Latitude and Longitude Coordinates of the Location of the cell-phone of Mr. Almonor. Although they was magistrates on call that Evening, where officers "never ever considered obtaining A warrant to provide to Sprint and Sprint willingly on their own consent without the phone owner Mr. Almonor permission to give out his information, where he stated "I Bought and possessed A cell-phone to Communicate with others (family & friends), not to Share any detail information, including my whereabouts with the government and that I never gave my cellular carrier permission to Share my Location information with anyone else including Law enforcement.

Sprint Company ping my phone unlawfully without A warrant presented to them By officers, Sprint never ever ask or mention if they did and did not receive permission from the plaintiff Mr. Almonor But they violated my privacy right willingly to provide information I did not want no one to have including the State police of Brockton and the common-wealth DA's office had Acknowledgement on this corrupted act and misconduct Behavior from Sprint & Law enforcement. This violation of my privacy not only happen to me it happens

to move people like me in society from other ~~companies~~ Company's like facebook is facing lawsuits do to privacy issues and now Sprint Here did the same without the consent of the plaintiff, and without no Acknowledgement of the plaintiff Mr. Almonor of Sprint going off their own will, Consent & permission to give out the plaintiff Cell-phone information/Location where the phone that Sprint willingly pinged was in a private home where the plaintiff & his girlfriend reside At the time. Where Sprint violated my right to privacy by pinging my phone warrantlessly, no permission of Mr. Almonor the plaintiff But instead Sprint Did without Seeking any Consent Before handing Cell-phone information and Location of Records that DO not belong to them(Sprint), But belong to the plaintiff. Also violated the Fourth Amendment, Fourteenth Amendment to the United States Constitution and Article 14. of the Declaration of rights as well. ~~XXXXXXXXXXXXXXXXXXXX~~

- Respectfully,
Jerome Almonor
Rose

...Blight on the part of Sprint resulted in my wrongful incarceration in 2012 and continues to this day, 6.5 years later, for a crime I was never convicted of committing. So, for the losing out on living 6.5 years of my life as a free-man with my family I hope to receive \$65 million in restitution. Secondary, immediate and continuing financial damages I hope to recoup include:

- Loss of property including clothes, electronics, and jewelry amounting to \$100,000.
- Jail related expenses of about \$6,522.07.
- \$10,000 for loss of residence.

I also hope to receive \$25 million for consequential damages from missing several important life events with my family and children that can never be redone:

- The birth of my son who is now six.
- Being ~~able~~ able to watch my children grow up during their formative years. My son and daughter who is now seven.
- First steps, first words, first days of school, missed birthdays, family trips and holidays.

Further secondary damages whereby major news outlets slandered and labeled my reputation and name, my family's name, through misrepresentation of me and distortion of the facts related to my wrongful arrest. Of which, I and my family will be forever linked due to the pervasiveness and immortality of online data.

Therefore, I hope to receive compensation for the resulting current and future negative impacts including but not limited to:

- \$5 million, for job and residence searches.
- \$5 million, for personal and business / work relationships.
- \$5 million, for school, social and home lives of my children.

Finally, I hope to receive \$24,883,477.93 for the resulting palpable damages related to the physical and mental health of myself and my family Include:

- Dental problems including but not limited to gingivitis.
- A coffee addiction.
- Chronic insomnia (due to Situational Stress).
- Malnutrition
- Paranoia and worry for my and my family's safety for fear of reprisal brought on by false allegations which rears itself in my coffee addiction and sleepless nights.
- Psychological and physiological wear and tear from needing to be placed in Administrative Segregation for own safety due to fear of reprisal brought on by false allegations per the suggestions of the jail.
- Mental Stress related to all previous points.
- * • Future therapy and counseling to aid in my, my family's and my children's recovery.

- Respectfully,
Jerome Almonar
Tro Se

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5/07/2019

Signature of Plaintiff

Printed Name of Plaintiff

Jerome Almonor
Jerome Almonor

B. For Attorneys

Date of signing: 5/07/2019

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Pro Se
Pro Se

26 Long Pond Road
Plymouth, MA 02360